

# *San Manuel Band of Mission Indians*

## CERTIFICATE OF RESOLUTION

### GENERAL COUNCIL OF THE SAN MANUEL BAND OF MISSION INDIANS

#### *Support for the Soboba Band of Luiseno Indians' Water and Land Rights Settlement Negotiations and Support for the Passage of Settlement Legislation*

WHEREAS, the Tribal Alliance of Sovereign Indian Nations ("TASIN") is composed of federally recognized tribal governments in the Federal Central Judicial District including the Agua Caliente Band of Cahuilla Indians, the Augustine Band of Mission Indians, the Cahuilla Band of Indians, the Chemehuevi Indian Tribe, the Morongo Band of Mission Indians, the Pechanga Band of Luiseno Indians, the Ramona Band of Mission Indians, the San Manuel Band of Mission Indians, the Santa Rosa Band of Mission Indians, the Santa Xnez Band of Chumash Indians, the Soboba Band of Luiseno Indians, the Torres Martinez Band of Desert Cahuilla, and the Twenty Nine Palms Band of Mission Indians; and

WHEREAS, TASIN was formed to protect and promote the tribal sovereign government rights, the cultural identity and interests of federally recognized tribes located within the Federal Central Judicial District within the State of California; and

WHEREAS, Soboba Band of Luiseno Indians ("Soboba Tribe") has lived in the area alongside the San Jacinto River in California where their reservation now exists since long before the Spaniards first arrived in the vicinity in the 16<sup>th</sup> Century; and

WHEREAS, the Soboba Tribe built the first irrigation ditch in the San Jacinto Valley; and when American settlers entered the valley in the 1860s, the Soboba Tribe possessed a self-sustaining agricultural economy, built upon the Tribe's rich water resources; and

WHEREAS, it has been well recognized that the Soboba Tribe's water supplies began disappearing when the newcomers diverted water from the San Jacinto River and build dams in upstream tributaries; and

WHEREAS, it is undisputed that by the dawn of the 20<sup>th</sup> Century there was starvation in what had been a lush region of grape vineyards, rows of melons, beans and corn, and extensive orchards of peaches, pears, apricots, and oranges; and

WHEREAS, in the 1930s the Metropolitan Water District of Southern California dug a 13-mile tunnel through the San Jacinto Mountains, about 3.5 miles northwest of the Soboba Tribe's reservation, which pierced underground faults and fractures in the mountains that dammed large amounts of water underneath the reservation, causing groundwater to flood in the tunnel and causing the springs, creeks, and wells on the reservation to dry up; and

WHEREAS, in 1950 the Tribe sued the federal government in the Indian Claims Commission for failing to protect it from the effects of the San Jacinto tunnel, as well as from the groundwater pumping and upstream diversions of surface water that depleted the reservation's water resources; and

WHEREAS, the United States government settled the aforementioned lawsuit in 1991 and joined with the Tribe in attempting to negotiate an overall resolution of the reservation's water related claims; and

WHEREAS, such negotiations involved the Eastern and Lake Hemet Municipal Water Districts, the Metropolitan Water District, the Department of the Interior, and the Soboba Tribe; and

WHEREAS, the parties expect to finalize the terms of the settlement of the land and water claims shortly and expect to introduce settlement legislation in the 108<sup>th</sup> Congress; and

WHEREAS, the terms of the settlement for the Soboba Tribe include: an adequate and secure future water supply; funds from local water districts for economic development; funds from the United States for water development; and 128 acres of replacement land for commercial development.

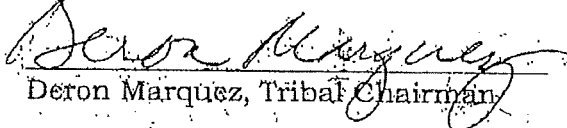
NOW THEREFORE, BE IT RESOLVED, that San Manuel Band of Mission Indians does hereby support the ongoing negotiations between the Soboba Tribe, the Eastern and Lake Hemet Municipal Water Districts, the Metropolitan Water District, and the Department of Interior for a water and land settlement that is consistent with federal law; and

BE IT FURTHER RESOLVED, that San Manuel Band of Mission Indians encourages the full support of the settlement legislation by the Department of Interior and urges the passage by Congress of the Soboba Tribe's settlement legislation.

### CERTIFICATION

By a vote of the General Council of the San Manuel Band of Mission Indians at a duly noticed meeting at which a quorum was present, held at approximately 6:00 p.m. December 9, 2003, at the Tribal Meeting Hall on the San Manuel Indian Reservation, the above-recited resolution was passed by the General Council following a vote of 21 "for", 0 "against" and 3 abstentions.

DATED: February 6, 2004

  
Deron Marquez, Tribal Chairman